

The Westfield-Washington Township Advisory Plan Commission met at 7:00 p.m. on Monday, April 24, 2006 at Westfield Town Hall. Members present were George Clark, Gloria Del Greco, Jack Hart, Brian Morales, Bill Sanders, Cindy Spoljaric, and Carolyn Stevenson. Also present were Al Salzman, Tom Higgins, Ann Cavaluzzi, and Attorney Brian Zaiger.

### **ELECTION OF NEW PRESIDENT**

Stevenson nominated Spoljaric as President of the Advisory Plan Commission.

Del Greco seconded.

Hart nominated Del Greco.

Del Greco declined the nomination.

Spoljaric was elected President of the Advisory Plan Commission by voice vote.

### **ELECTION OF VICE PRESIDENT**

Spoljaric stated Kelleher would like to continue serving as Vice President.

Hart nominated Kelleher to serve as Vice President of the Advisory Plan Commission.

Sanders seconded, and Kelleher was elected by voice vote.

### **APPOINTMENT TO BOARD OF ZONING APPEALS**

Stevenson nominated Morales to serve on the Board of Zoning Appeals.

Del Greco seconded, and Morales was appointed to the Board of Zoning Appeals by voice vote.

### **APPOINTMENT TO STANDARDS SUBCOMMITTEE**

Stevenson nominated Del Greco.

Del Greco withdrew her nomination since she currently serves on the Comprehensive Plan Subcommittee.

Del Greco nominated Clark to serve on the Standards Subcommittee.

Hart seconded, and Clark was appointed to the Standards Subcommittee by voice vote.

**APPROVAL OF MINUTES FROM MARCH 27, 2006**

Hart pointed out a scrivener's error on page one.

Del Greco and Stevenson stated the time Buchheit left the meeting in March should be stated in the minutes.

Hart moved to approve the March 27, 2006 minutes as amended.

Stevenson seconded, and the motion passed by voice vote.

Cavaluzzi reviewed the Public Hearing Rules and Procedures.

Spoljaric announced the Commission will give petitioners 15 to 20 minutes maximum to present tonight due to the lengthiness of the agenda.

Salzman reviewed continued items on the agenda.

Salzman stated there was a request from one petitioner to be moved earlier in the agenda.

Mr. Nels Ackerson requested to be moved to the beginning of New Business.

The Commission voted by voice vote to allow the Ackersons to be moved to the beginning of New Business.

**OLD BUSINESS**

**0506-PUD-02            4400 East 186<sup>th</sup> Street.** Rezone of 115.28 acres from SF-2 to PUD, by Graystone Development.

Mr. Jim Shinaver, Nelson & Frankenberger, introduced Sheldon Phelps, Graystone Development, and stated that the report before the Commission summarized additional changes to the initial petition for Andover North. Shinaver stated there were approximately twelve issues referenced and that Graystone has agreed to address nine of those issues and partially address the three remaining issues.

Stevenson stated the home density was supposed to be reduced to 192, but has only been reduced to 240. She also stated the corner lots were not addressed.

Spoljaric stated that these issues were supposed to be all or nothing, not partially addressed or negotiated and further stated this was not acceptable.

Sanders moved to send 0506-PUD-02 to the Town Council with a negative recommendation.

Clark seconded, and the motion passed 6-1 (Hart).

**0602-PUD-03            18100 Shady Nook Road.** Graystone Development requests a change in zoning for four parcels, totaling approximately 15.15 acres, from the SF-2 District to the Andover PUD District.

Shinaver presented the details of the rezone request on behalf of Graystone Development.

Spoljaric asked where the open space was planned.

Shinaver stated the open space has been provided in combination of both Andover projects.

Spoljaric asked what amenities would be constructed within the next six months.

Shinaver responded nothing is constructed at this time because of the way the PUD is set up, based on reaching different levels of units; however, they will comply with the requirements of the PUD.

A Public Hearing opened at 7:50 p.m.

Mr. Mic Mead asked if the original PUD ordinance is still in effect stating the original PUD ordinance requires one single ownership and that the Town Council should uphold the ordinance.

Mr. Bob Curry spoke against the rezone request.

Mr. Ron Thomas spoke against the rezone request.

Mr. Robert Moran concurred with the previous public hearing speakers.

The Public Hearing closed at 7:55 p.m.

Shinaver responded to the public hearing comments.

Phelps provided clarity on the issue of amenities stating from the Andover PUD.

Stevenson moved to suspend the rules and send 0602-PUD-03 back to Town Council with a negative recommendation.

Sanders seconded, and the motion passed 6-1 (Hart).

However, Spoljaric stated since there was not a unanimous vote on suspending the rules, another motion was needed.

Hart moved to send 0602-PUD-03 to subcommittee.

Clark seconded, and the motion did not pass 2-5 (Del Greco, Morales, Sanders, Spoljaric, and Stevenson).

After much discussion, the decision was made to schedule time for this petition at Comprehensive Plan Subcommittee and the petitioner agreed.

**0603-DP-05 &  
0603-SPP-03**

**16707 Spring Mill Road.** Centex Homes requests Development Plan and Preliminary Plat Review of the Spring Mill Commons subdivision, 64 lots on 39.982 acres in the SF-2 District.

Mr. Jonathan Isaacs, Centex Homes, introduced Mr. Steve Hardin, Bingham McHale, and presented the details of the project stating that public notice requirements have been met. Isaacs further stated they have redesigned the location of the sidewalk as a result of last month's meeting. He also commented as far as tree preservation along the east property line, a commitment was made to work with staff to preserve any trees they can in that area; however, nothing of significant in nature, therefore did not request any tree preservation credit. Finally, Isaacs stated concern was expressed about ranch homes not fitting in the neighborhood and assured the Commission they would exceed square footage requirements for one-story homes.

Spoljaric stated this subdivision lacks creativity, lacks good access to the limited amount of green space, and lacks good design.

Morales asked if there was a possibility of access from the most northern street to the trail on 169<sup>th</sup> street.

Isaacs agreed to look into this as they move forward.

A Public Hearing opened at 8:20 p.m.

No one spoke, and the Public Hearing closed at 8:21 p.m.

Hart moved to approve 0603-DP-05 with the following conditions:

1. That the petitioner complies with any requirements from the Westfield Public Works Department;
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;
3. That a detailed sign plan depicting compliance with all applicable provisions of the Sign Regulations be provided prior to the issuance of an ILP for either proposed freestanding entry monument sign;
4. That these conditions be fulfilled prior to the filing of any Secondary (Final) Plat for the subject site.

Clark seconded, and the motion passed 7-0.

Hart moved to approve 0603-SPP-03 with the following condition:

--That all conditions attached to the associated Development Plan Review shall be satisfied prior to the recording of any secondary plat; and that final plat approval be delegated to the Community Development Staff.

Clark seconded, and the motion passed 7-0.

**0603-PUD-05**      **17021 Towne Road.** Drees Homes requests a change in zoning for approximately 258 acres, from the AG-SF1 District to the Westgate PUD District.

Mr. John Talbott, Drees Premier Homes, Inc., presented the background of the project and introduced guests.

Mr. Bill Spears, Drees Premier Homes, Inc., presented the details of the design of the project including entrance, connectivity, open space, amenities, and community flavor. Spears also reviewed architectural styles.

Clark asked about the parking for guests since the homes are rear loaded.

Talbot responded there would be street parking on one side of the streets.

Del Greco stated it looks like if the school is built, the larger lots will be wiped out.

Talbot responded in discussions with the school this is their preferred site; however, at this time there is no deal with the school, and they are certainly open to moving some of those around.

Spoljaric asked about the commercial area.

Talbot responded there are 15 acres of commercial.

Spoljaric asked for a yield plan based on SF-3.

Talbot responded they are working on the yield plan based on SF-3 and multi family, and it will be available for subcommittee.

Stevenson asked for feedback on the Midland Trace Trail.

Talbot responded they are more than willing to commit to build their piece of the trail.

A Public Hearing opened at 8:57 p.m.

Ms. Josie George read a statement from Tammy Kartes expressing her concerns about the project.

Mead asked a question about town policy regarding owning parks and the responsibility of maintaining the parks.

Thomas asked some questions regarding the staff report as well as some discrepancies.

Mr. Don Dwiggins spoke against the commercial part of the project.

The Public Hearing closed at 9:10 p.m.

Talbot responded to public hearing comments.

Hart moved to send 0603-PUD-05 to the May 3 subcommittee.

Sanders seconded, and the motion passed 7-0.

**0604-PUD-06                      7550 West State Road 32.** Ackerson Family Farms, LLC requests a change in zoning for 236 acres from AG-SF-1 to the Ackerson Farm PUD District.

Mr. Nels Ackerson introduced Karen Ackerson Jamison; Gary Weaver, Weaver Design; Randy Sherman, Weaver Design; and Charlie Frankenberger, Nelson & Frankenberger. Ackerson shared the vision for this project which included seven points: we have a personal commitment of stewardship to this land and to this community, we are committed to excellence in quality, durability, design, and architectural diversity, we envision this land as becoming Westfield's ideal gateway from the west and an inspiration for the revitalization of Eagletown, we are respectful of our surroundings and our neighbors, we are mindful of our civic responsibility to the economic integrity of Westfield and Washington Township, we have devoted and will continue to devote our best efforts and support to the Comprehensive Planning Process, we are resolved to create on this, our land, a community in the best tradition of neighborhoods as places where people of all ages live, work, and play with access to their favorite amenities in comfort and safety and with genuine pride in their community.

Sherman presented the design details of the project, including mixed land uses, roads, access, pedestrian friendliness, a civic building, community center, floor plans, and lot sizes.

Spoljaric does not feel there is enough green space.

Spoljaric expressed concern about the validity of the build out schedule.

Spoljaric asked when the amenities will be added.

Ackerson stated the green space percentage is 23% of the residential area.

A Public Hearing opened at 9:57 p.m.

Thomas spoke of the need for more public/Commission knowledge regarding this type of community and shared information about some possible planners/speakers on this topic.

Sanders spoke about the infrastructure and phasing schedule.

The Public Hearing closed at 10:05 p.m.

Hart moved to send 0604-PUD-06 to Comprehensive Plan Subcommittee on May 17, 2006.

Clark seconded, and the motion passed by voice vote.

The Commission took a five minute break.

**0604-DP-11 & 0604-SIT-07**      **16469 Southpark Drive.** Southpark Investments requests Development Plan and Site Plan Review of a proposed new 17,200 (8,800 Phase I, 8,400 Phase II) square foot industrial structure on 1.074 acres in the South Oak PUD District.

Mr. Adam DeHart, Keeler-Webb Associates, introduce Mr. Jim Kent, Southpark Investments, and presented details of the project including development plan approval, associated site plan approval, and a waiver request for sidewalks.

A Public Hearing opened at 10:35 p.m.

Ms. Linda Nass spoke of her concerns about elevations, number of lots, drainage, buffering, sidewalks, and construction trash, and asked how they were going to plant anything without it washing away, and what height of retaining wall are they planning on building.

The Public Hearing closed at 10:46 p.m.

Kent responded to public hearing comments.

Hart moved to approve the pedestrian site access waiver.

Clark seconded, and the motion passed 7-0.

Sanders moved to approve 0604-DP-11 with the following conditions:

1. That the petitioner complies with any requirements from the Westfield Public Works Department;
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;
3. That these conditions be satisfied prior to the issuance of a building permit.

Clark seconded, and the motion passed 7-0.

Sanders moved to approve 0604-SIT-07 with the following condition:

- That any conditions of the associated Development Plan Review (0604-DP-11) be satisfied prior to the issuance of an Improvement Location Permit for the subject site.

Clark seconded, and the motion passed 7-0.

**0604-REZ-03**      **16706 Gray Road.** Langston Development Company, Inc. requests a change in zoning for 72 acres from AG-SF-1 to SF-2.

Mr. Jim Bydendaum introduced Jim Langston, Langston Development, and presented details of the rezone request which is a new section of Brookside, Section 5. He discussed tree preservation. He stated there will be 16% open space, and that lots will average 21,000 square feet.

Spoljaric asked about the potential of a church being built rather than additional homes.

Langston responded they have been approached by churches, but nothing has been agreed upon.

A Public Hearing opened at 11:20 p.m.

Mr. Mike Gang spoke in support of Langston Development.

Mr. Dean Omore spoke in support of Langston Development.

Mr. Bill Hartford asked about the berm and elevation and expressed concern about drainage and tree preservation.

The Public Hearing closed at 11:25 p.m.

Langston responded to the public hearing comments.

Clark moved to send 0604-REZ-03 to the Comprehensive Plan subcommittee.

Del Greco seconded, and the motion passed by voice vote.

Salzman stated the remaining items on the agenda are slated for staff approval or have been delegated to staff and briefly reviewed any such items.

Salzman discussed subcommittee reports and announced the subcommittee meeting times will now be from 6:30 to 9:30 p.m.

The Commission agreed that Langston will be first on the agenda on May 17<sup>th</sup>.

Spoljaric suggested having Standards Committee members help with the review of petitions for the Comp Plan Subcommittee.

The meeting adjourned at 11:40 p.m.

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President

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Secretary